

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

VANCE S. ELLIOT,

No. C 11-80128 RS

Plaintiff,  
v.

## **ORDER DENYING LEAVE TO FILE COMPLAINT**

MARCUS LEWIS,

Defendant.

On June 16, 2011, the Court dismissed this action without prejudice, as plaintiff's application for leave to proceed *in forma pauperis* had been denied and plaintiff had not paid the filing fee as instructed to maintain the suit. After the case was closed, and without paying the filing fee, plaintiff submitted an amended complaint. The Court denied him leave to file an amended complaint and declined to reopen the case. On October 28, 2011, plaintiff filed an amended complaint. As plaintiff still has not complied with the Court's instruction to pay the filing fee, his resubmission of an amended complaint does not reopen the case. Further, plaintiff is advised that he may be subject to sanctions if he persists in filing pleadings without paying the filing fee. *See Fed. R. Civ. P. 11.*

IT IS SO ORDERED.

**United States District Court**  
For the Northern District of California

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RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

**United States District Court**  
For the Northern District of California

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**THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

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Vance S. Elliott  
640 Eddy Street, #218  
San Francisco, CA 94109

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DATED: 11/9/11

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/s/ Chambers Staff

Chambers of Judge Richard Seeborg

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